

EXHIBIT E

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

HOWARD HESS DENTAL)
LABORATORIES INC.)
and PHILIP GUTTIEREZ d/b/a)
Dentures Plus, on behalf of)
themselves and all others)
similarly situated,)

Plaintiffs,)

v.)

Civ. No. 99-255-SLR

DENTSPLY INTERNATIONAL, INC.,)

Defendant.)

JERSEY DENTAL LABORATORIES)
f/k/a Howard Hess Dental)
Laboratories Incorporated,)
and PHILIP GUTTIEREZ d/b/a)
Dentures Plus, on behalf of)
themselves and all others)
similarly situated,)

Plaintiffs,)

v.)

Civ. No. 01-267-SLR

DENTSPLY INTERNATIONAL, INC.,)
and named dental dealers,)

Defendants.)

ORDER

At Wilmington this 8th day of January 2008, consistent with the memorandum
opinion issued this same date;

IT IS ORDERED that:

1. Plaintiffs' motion to supplement the record in Hess (Civ. No. 99-255, D.I. 274)

is denied.

2. Plaintiffs' motion for a certificate of appealability and for a stay of proceedings during the pendency of any appeal in Jersey Dental (Civ. No. 01-267, D.I. 318) is granted.

3. On or before January 31, 2008, the parties shall submit either a stipulation or competing orders in Hess and Jersey Dental in order to accommodate a consolidated appeal.


United States District Judge